

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN BLANK : CIVIL ACTION
v. :
THE PENNSYLVANIA SOCIETY FOR :
THE PREVENTION OF CRUELTY :
TO ANIMALS, et al. : NO. 10-3222

ORDER

AND NOW, this 5th day of October, 2010, for the reasons set forth in the accompanying Memorandum, it is hereby ORDERED that:

(1) the motion of defendants Pennsylvania Society for the Prevention of Cruelty to Animals, Howard Nelson, George Bengal, Ashley Mutch, and Juan Martinez to dismiss Counts 1, 2, 3, 4, and 5 of the complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure is GRANTED with prejudice;

(2) the motion of defendants Pennsylvania Society for the Prevention of Cruelty to Animals, Howard Nelson, George Bengal, Ashley Mutch, and Juan Martinez to dismiss Counts 6, 7, 8, 9, and 10 of the complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure is GRANTED without prejudice;

(3) the motion of defendants Main Line Animal Rescue, Inc. and William Smith to dismiss Counts 1 and 5 is GRANTED with prejudice; and

(4) the motion of defendants Main Line Animal Rescue, Inc. and William Smith to dismiss Counts 6, 7, and 8 is GRANTED without prejudice.

BY THE COURT:

/s/ Harvey Bartle III

C.J.